

AT A REGULAR MEETING OF THE CULPEPER COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD ROOM, LOCATED AT 302 N. MAIN STREET, ON TUESDAY, DECEMBER 6, 2005.

Board Members Present: **John F. Coates, Chairman**
 Steven E. Nixon, Vice-Chairman
 William C. Chase, Jr.
 Sue D. Hansohn
 James C. Lee
 Brad C. Rosenberger
 Steven L. Walker

Staff Present: Frank T. Bossio, County Administrator
 Valerie H. Lamb, Finance Director
 John C. Egertson, Planning Director
 Paul Howard, Director of Environmental Services
 Peggy S. Crane, Deputy Clerk

Staff Absent J. David Maddox, County Attorney

PLEDGE OF ALLEGIANCE TO THE FLAG

Mr. Lee led the members of the Board and the audience in the Pledge of Allegiance to the Flag.

CALL TO ORDER

Mr. Coates, Chairman, called the meeting to order at 10:00 a.m.

RE: APPROVAL OF AGENDA - ADDITIONS AND/OR DELETIONS

Mr. Bossio asked that the **SPECIAL PRESENTATION** be deleted from the agenda because the Culpeper County High School Troubadours and Madrigals Choirs could not be present due to the weather.

Mr. Nixon moved, seconded by Mr. Walker, to approve the agenda as amended.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

RE: MINUTES

The minutes of the November 1, 2005 regular meetings were presented to the Board for approval.

Mr. Nixon moved, seconded by Mr. Lee, to approve the minutes as presented.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

CONSENT AGENDA

Mr. Bossio reviewed the following Consent Agenda items with the Board:

- a. The Board will consider a motion to ratify approval of the advertisement for a public hearing to be held on December 6, 2005 to implement the 2004-2005 changes to the Personal Property Tax Relief Act (PPTRA) Act of 1998.
- b. The Board will consider a motion to ratify approval of the advertisement for a public hearing to be held on December 6, 2005 regarding Case U-2084-05-1 Rappahannock-Rapidan Community Services Board for a use permit for a new substance abuse facility.
- c. The Board will consider approving a 3-year grant application for the Sheriff's Office for the continuation of a full-time position for the tobacco prevention education and a smoking cessation program targeted at students in grades 7 through 12 from the Virginia Tobacco Settlement Foundation in the amount of \$74,914. In-kind match from the Sheriff's Operating budget of \$9,968.
- d. The Board will consider approving a budget amendment for the Airport CIP Project, Parking/Hangar Site Prep Construction in the amount of \$22,182 from the State and \$5,545 additional local funds from excess funds from construction of the hangars.
- e. The Board will consider authorizing an application for a grant, which would provide for drafting a local Stormwater Management Ordinance and would include a demonstration project implementing Low Impact Development (LID).

Mr. Walker asked that item e. be pulled from the Consent Agenda for further discussion.

Mr. Chase stated he would vote against the inclusion of item b. because he felt additional time should have been allowed to inform the public about the hearing for a use permit for the Rappahannock-Rapidan Community Services Board.

Mrs. Hansohn moved, seconded by Mr. Lee, to approve the Consent Agenda excluding item e.

Mr. Walker asked whether item b. had been advertised for public hearing. Mr. Bossio stated that it had been advertised according to proper procedures.

Mr. Coates called for voice vote.

Ayes - Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Nay - Chase

Motion carried 6 to 1.

Mr. Walker stated the reason he asked that item e. be excluded from the Consent Agenda was because a local Stormwater Management Ordinance was very important, and he

would like for the Board to affirm the concept and move forward with a draft ordinance even if the grant were not awarded.

Mrs. Hansohn inquired about the time frame of the grant and the amount involved. Mr. John Egertson, Planning Director, said he expected to hear in February whether or not the grant had been approved and, if approved, \$42,000, would become available in April. He noted that some in-kind and other matches were involved, but no actual cash from the County would be required. Mrs. Hansohn agreed with Mr. Walker that the Board should move forward with the project, with or without grant funds.

Mr. Chase asked whether the grant was a Federal or State grant. Mr. Egertson replied that it was a State grant, and he suggested that the Board wait to see if the grant were received before moving forward.

Mr. Walker stated he was not actually asking for a formal commitment, but he wanted to make sure the Board was aware of the importance of moving forward with a Stormwater Management Ordinance.

Mr. Walker moved, seconded by Mr. Nixon, to approve the grant application for the Stormwater Management Ordinance as set forth in item e. of the Consent Agenda.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

GENERAL COUNTY BUSINESS

SPECIAL PRESENTATION – Deleted from the agenda.

SPECIAL PRESENTATION BY CHAIRMAN OF THE BOARD

Mr. Coates introduced Mr. Jim Campbell, Executive Director of the Virginia Association of Counties.

Mr. Campbell explained that VACo was an organization comprised of Virginia's 95 counties that represented their interests in Richmond and Washington, D.C., when necessary, performing various lobbying and advocacy activities. He commended Mr. Steve Walker for his service on VACo's Board of Directors and the dedication he brought to that group.

Mr. Campbell reported that the State Association was excited to be hosting the National Association of Counties in Virginia for its National Conference in 2007. He said the National Conference would attract approximately 5,000 county officials and their families from all over the country and VACo was pleased to have the opportunity to showcase Culpeper County, as well as other counties throughout Virginia.

Mr. Campbell recognized Mr. Lee and thanked him for his outstanding service during his eight years on the Board of Supervisors.

Mr. Campbell asked Mr. Rosenberger to join him at the podium. He stated that Mr. Rosenberger was one of the few County Supervisors in Virginia who had successfully completed 20 years of service and had several more years to serve in his current term. He presented Mr. Rosenberger with a plaque that recognized his 20 years of dedicated service to County Government. Mr. Coates joined Mr. Campbell in thanking Mr. Rosenberger for his many contributions to the County. Mr. Rosenberger thanked Mr. Campbell for the recognition and Mr. Coates for his kind words.

Mr. Coates announced that the Board would like to honor Mr. Lee for his eight years of service on the Board representing the Cedar Mountain District. He asked Mr. Lee to come forward, and Mr. Bossio read the following resolution into the record:

***CULPEPER COUNTY BOARD OF SUPERVISORS'
RESOLUTION TO HONOR JAMES C. LEE
FOR HIS SERVICE TO THE CITIZENS OF CULPEPER COUNTY***

WHEREAS, James C. Lee (Jimmy) was elected to serve on the Culpeper County Board of Supervisors to represent the Cedar Mountain Magisterial District in November of 1997, and assumed his responsibility in January of 1998; and

WHEREAS, he was reelected to a second term on the Board of Supervisors in 2001; and

WHEREAS, he has demonstrated superior leadership and devotion to the duties of public service throughout his eight years of service; and

WHEREAS, it is the opinion of this Board that Jimmy served with distinction and dedication, always keeping his constituents utmost in his mind, and displaying at all times a great empathy for citizens coming before the Board on matters of public interest; and

WHEREAS, he served on a number of committees during his tenure, and was a key influence in bringing to reality the new animal shelter, the new Emergency Operations Center and radio system, including an innovative County communications tower system to generate revenue to offset radio system operational costs; and

WHEREAS, he was instrumental in the construction of the new Community Complex; and as a function of his role as a Board member, he served on the Virginia Community College Board, and he spearheaded the vision of the new Germanna Technology Center currently under construction in Culpeper County; and

WHEREAS, in his crowning achievement as a steadfast supporter of education, he made the case for, and supported by voting to fund the new high school without a referendum;

NOW THEREFORE BE IT RESOLVED, that the Board wishes to recognize him and thank him for his dedication, guidance, and invaluable contribution in serving the County; and

BE IT FURTHER RESOLVED, that the best wishes of this Board and the citizens of Culpeper County are expressed to him and to his family in all of their future endeavors.
DONE this 6th day of December 2005.

By:	William C. Chase, Jr., Stevensburg District	<u>/s/ John F. Coates</u>
	Sue D. Hansohn, Catalpa District	John F. Coates, Chairman
	James C. Lee, Cedar Mountain District	Culpeper County Board of Supervisors
	Steve E. Nixon, West Fairfax District	Salem District
	Brad C. Rosenberger, Jefferson District	
	Steven L. Walker, East Fairfax District	

ATTEST:

Frank T. Bossio, Clerk to the Board

Mr. Coates thanked Mr. Lee for his commitment to the Board during his eight years of service and for his many contributions, particularly in the area of education.

Mr. Lee asked Mr. Larry Aylor, the new Supervisor representing the Cedar Mountain District, to come forward and stand with him. He said that congratulations were sometimes given to those leaving, but he would like to give a standing ovation to the members of the Board who would be directing the course of the County for the next four years. He noted he had completed his job as Supervisor, but the Board was the County's vision for the future. The audience stood and joined with Mr. Lee in applauding the Board.

Mr. Coates thanked Mr. Lee for his remarks and for his dedication and commitment to Culpeper County.

UPDATE ON PELHAM MANOR WATER ISSUES

Mr. Hugh Eggborn, Office of the Drinking Water, informed the Board he would provide an update on the Pelham Manor Subdivision water issues and Dr. Lilian Peake, District Health Director, would provide a briefing on her efforts to establish a citizens' advisory group.

Mr. Eggborn reported that the State Health Commissioner entered into a consent order on November 7 with the owner of the Pelham Manor Water Works which established a number of milestone dates for action to be taken. He said the initial effort of the consent order was the intent to replace one of two wells currently serving Pelham Manor that contained the volatile organic chemical first detected in May 2002, and that had been accomplished. Both State and local approval for the well was granted in late November. He stated that well would have to be drilled by March 7, 2006, but would not constitute connection to the system; and 10 months from November (next September) the new well would have to be on line and serving Pelham Manor. He said there were additional dates set over the course of the next 24 months to complete more significant or costly improvements at Pelham Manor, such as replacing the well houses and

controls, and providing the additional treatment necessary to ensure improved water quality at Pelham Manor. He provided details regarding recent water outages at Pelham Manor due to electrical control problems that occurred sometime in late November, but the Water Works owner had assured him the well pump was back in service at this time.

Mrs. Hansohn asked what the repercussions would be if the March 7 deadline in the consent order were not met. Mr. Eggborn replied that enforcement proceedings would be required. He explained that the consent order was a general agreement between the Water Works owner and the Department and, as long as progress was being made, formal enforcement action would not be necessary. He said he would keep the Board informed on the progress being made.

Mr. Nixon asked whether the existing water supply would be treated in the interim period. Mr. Eggborn stated that he could only request that be done. He pointed out that there were two separate issues: (1) The volatile organic chemical contaminant, which would be the first issue addressed in the consent order; and (2) the on-going problem of iron and manganese causing discoloration, which was not covered by the consent order, but would be addressed later. He noted that the Water Works owner had been asked to include some chemical addition to the water in the meantime. Mr. Nixon and Mr. Eggborn discussed various treatments for organic chemicals should they appear in the new well.

Dr. Peake informed the Board that Mr. Eggborn had agreed that her office could help coordinate communications with the citizens in Pelham Manor regarding their concerns. They were concerned about the health effects of the volatile organic compound, which the Office of Drinking Water claimed did not correlate with an acute health hazard. She stated that she was working with various groups, such as the Virginia Cancer Registry, to collect information to determine whether or not there was an increased rate of cancer in Pelham Manor, and several volunteers in Pelham Manor were distributing letters to residents in order to collect data. She explained that she was establishing an advisory committee composed of residents, County representatives, and other agencies in order to meet regularly and discuss the issues and to provide in-depth education regarding the issues raised.

Mr. Coates thanked Dr. Peake for her efforts and commended Mrs. Hansohn for her participation in this endeavor. He expressed appreciation for the State's efforts and the willingness of the owner of the water system to correct this problem.

REQUEST FOR REIMBURSEMENT FOR LIVESTOCK KILLED BY DOG(S)

Mr. William B. Barlett provided the Board with details regarding the loss of two goats killed by dogs. He explained that he had maintained goats on his small Christmas tree farm for children to pet and feed. He reported in October a couple of dogs killed one of the goats and injured another which later died from its injuries. He said he had given the third goat away to prevent further problems and would appreciate being reimbursed for his losses.

Animal Control Officer Alexander Rowe informed the Board that he responded to Mr. Barlett's call and was informed that two dogs had attacked the goats. He said he had been unable to locate the owners of the dogs, but had left traps at Mr. Bartlett's farm and another nearby farm that had reported problems with dogs.

Mr. Chase moved, seconded by Mr. Nixon, to approve reimbursement to Mr. Bartlett.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

E-9-1-1 ROAD SIGNS

Mr. Alan Culpeper, Director of Procurement, informed the Board that the primary purpose of County road signs was to serve public safety personnel and identify E-911 addresses. He reported that the Fire and Rescue Association of Culpeper County and the Emergency Operations Center had requested that the signs be changed from the current green background with white lettering to a blue background with white lettering. He said the reason for the request was to enable the signs to be more easily read at night while responding to calls. He indicated that the current signs would not all be changed at one time, but they would be replaced with the new signs when current signs needed replacing, or installed as new roads were built.

Mr. Nixon asked how long it would take to replace all of the signs. Mr. Culpeper stated he could not predict how long it would take, since signs would be replaced as needed.

Mr. Nixon inquired about an approximate cost to replace the signs. Mr. Culpeper replied that the County's current contract cost approximately \$25,000 per year, and it would remain the same. He said signs cost approximately \$75 each and no additional cost would be incurred to change the color.

Mrs. Hansohn pointed out that private signs were currently blue and white and asked whether they would remain the same. Mr. Culpeper assured her that they would remain the same, but "PVT" would be shown after the name of the road.

Mr. Coates stated that he felt the matter required further study. He pointed out that VDOT had a policy recommending State roads would bear green signs with white lettering and the County had chosen blue signs for roads that were not State-maintained. He said he would like to have information regarding the costs involved to provide high-intensity sheeting as a background for better reflection. He also said that thought should be given to adjusting the height of the signs from five feet to six or seven feet in order to deter vandalism.

Mr. Bossio stated that the Fire and Rescue Association recognized the cost involved and had asked for the Board's consent to replace the signs through attrition.

Mr. Coates asked Mr. Donald Gore, VDOT Resident Engineer, who was in the audience, whether he had any comments. Mr. Gore had no comments.

Mr. Rosenberger inquired whether the cost of new signs would be borne by the County. Mr. Culpeper replied that the County paid for new or replacement signs.

Mr. Nixon moved, seconded by Mr. Walker, to postpone the request for 30 days in order to study the issues raised and bring additional information back to the Board.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

DISCUSSION OF FERAL HOGS

Mr. Coates stated that Mr. Chase had asked for a discussion regarding feral hogs running at large in his District and the damage they were creating.

Ms. Jamie Bennett, Animal Services Director, reported that her office had received several calls regarding feral hogs in the Stevensburg District, and she had contacted the State for information regarding the law and any action that could be taken. She said she was informed that feral hogs were considered nuisance wildlife and they could be shot at any time throughout the year without a permit. She stated that it was the policy of Animal Control not to handle nuisance wildlife, but they would provide information to citizens regarding the problem.

Mr. Coates stated that a representative of the Farm Bureau has asked to address the Board.

Mr. Dwayne Forrest related his personal experience with wild hogs running into his fields and destroying his corn crop. He said he made numerous attempts to reach Animal Control, before reaching them, and they eventually replied with a letter to the effect that he could hunt them. He stated he did not agree that wild hogs were wildlife, but were farm animals that had

been let loose to run wild. He presented the Board with a letter he had prepared and asked that it be made a part of the official record.

Mr. John Coates: There are a number of hogs on the loose in this County and they are literally having a field day. These animals are not only a nuisance but they are destructive and dangerous. At our annual Farm Bureau meeting, a resolution was presented and unanimously passed by our membership that stated Culpeper County Animal Control personnel need to be responsive to the needs of Culpeper residents who have reported damage by feral hogs, goats and other livestock. There seem to be at least two separate herds of hogs in Culpeper County. Wild hogs have been spotted in the Inlet, Mitchell, Mt. Pony and Raccoon Ford areas. There have been several successful verified kills but with one sow producing two litters a year, up to 12 hogs each, they can multiply quickly. They are thriving in the wild, wintering over on whatever they find, whether it be corn, acorns, grubs, worms or insects. One farmer (myself) recently reported approximately one-third of his 23-acre corn crop was destroyed and at this point I have not been able to recover the losses. The damage was verified by our County Extension Agent Carl Stafford, Culpeper Sheriff's Department, and Culpeper Game Warden. Culpeper County Animal Control was also contacted and the enclosed response acknowledged that the hogs need to be hunted, but offering no assistance in the process other than allowing them to be hunted was received. This of course requires the landowner's permission which makes it difficult to locate hogs that have crossed property lines. One resident has had his sod air strip damaged, making it dangerous to take off and land. Another nearly had an automobile accident when a hog bolted in front of his car. Feral hogs are very destructive and the numbers are growing rapidly. Possible solutions for eradicating them could be offering bounties or hiring professional hunters or trappers. We feel it is the responsibility of the Culpeper Animal Services to control these animals. Thank you in advance for your prompt attention to this matter.

Mr. Forrest presented the letter he received from Mrs. Bennett stating it was all right to hunt the wild hogs, pictures he had taken of his damaged cornfield, and other information he had collected on feral hogs. He asked for the Board's assistance in addressing the problem.

Mr. Chase admitted that he did not have a solution to the problem, but acknowledged that wild hogs were very dangerous animals, especially with children.

Mr. Rosenberger stated that if feral hogs were considered to be destructive wildlife, they would fall under the guidance of Game and Inland Fisheries.

Mr. Forrest said he talked with Game and Inland Fisheries personnel and was informed feral hogs did not come under their jurisdiction. Mrs. Bennett asked whether he had spoken with a biologist or a game warden. Mr. Forrest informed her he had spoken with a game warden. Mrs. Bennett suggested he speak with a biologist because often when there was a safety issue involved, they would come and help.

Mr. Chase suggested that contact with a biologist at Game and Inland Fisheries should be made in-house and the burden should not be placed on citizens. Mrs. Bennett assured him she called them but they offered no assistance.

Mr. Coates suggested that the County Administrator schedule a meeting of all parties involved and solve the matter.

Mr. Nixon suggested also that contact be made with surrounding counties to determine whether they had similar problems and, if so, how they had been resolved.

Mr. Rosenberger stated that it might be a good idea if the County took a proactive role and contact landowners in the neighborhoods where wild hogs were observed and to obtain permission to go on their property to hunt them. Mr. Chase said there was a sportsmen's group in Stevensburg and he might be able to get them involved as well.

Mrs. Martha Bateman, Mount Pony Road, informed the Board that she was the one with the aviation safety issue cited in Mr. Forrest's letter. She suggested that a good place to start tracking the wild hogs would be along the power line, but she did not know who owned that land.

Mr. Coates stated he attended the Farm Bureau meeting at which the resolution was passed and the appropriate legislators were also present, so they were aware of this problem. He thanked Mr. Forrest and Mrs. Bateman for bringing the issue to the attention of the full Board.

Mr. Coates recessed the meeting at 11:07 a.m.

Mr. Coates called the meeting back to order at 11:20 a.m.

CONSIDERATION OF REQUEST FROM SCHOOL BOARD TO APPLY FOR A LITERARY LOAN

Mr. Coates acknowledged the presence in the audience of Mrs. Elizabeth Hutchins, School Board Chairman; Dr. David A. Cox, School Superintendent; Mr. Jeff Shomo, Department of Finance; and other School Board staff.

Mr. Bossio stated that the School Board was requesting the Board to consider a Literary Loan application from the Department of Education in the amount of \$7.5 million as a portion of the total cost for the construction of the new high school. He explained that in discussions with the School Oversight Committee and the School Board, the plan for financing the new school was basically through the Wachovia Bank loan and the Literary Loan, which would be used to retire the short-term loan at Sun Trust.

Mr. Chase moved, seconded by Mrs. Hansohn, to approve the Literary Loan application.

Mr. Nixon asked for an explanation for the delay in applying for the Literary Loan. Mr. Bossio replied that the application was being made to coincide with the bids to be opened on

December 22. Mr. Shomo stated the application was to be submitted earlier but they had received conflicting information from two offices in Richmond which caused the delay.

Mr. Nixon stated he wanted to be sure the delay would not affect the start date of the new school. Mr. Shomo noted that Mr. Hunter Spencer had received three requests to extend the bid time and postponing it from December 8 to the December 22 was to provide bidders with the requested extension. Mr. Spencer added that readvertisement would not delay the start date. Mr. Chase stated he wanted to be sure the Board of Supervisors was not blamed for any delay.

Mr. Walker pointed out that the Board was not being asked to approve the application, but to approve the funding source by resolution. Mr. Bossio agreed that the Board was being informed that the School was going forward with the Literary Loan request.

Mr. Walker asked that the public record show that the new building was a 1,500 student program capacity high school, but according to the School Oversight Committee, the actual space had capacity for 1,800 students. He stated that the funding approved by the Board for the new high school was \$42 million, not \$44 million as shown in the form. He mentioned that the \$53 million included the value of the land and he did not believe the value of the land was included in that figure. Mr. Bossio stated that it was not.

Mr. Chase pointed out that the differences pointed out by Mr. Walker did not change the motion on the floor. Mr. Bossio agreed. He said Mr. Walker had made excellent points for the record.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

PRESENTATION ON GOVERNOR'S SCHOOL

Dr. Cox stated that Mrs. Hutchins; Dr. Eric Conti, Assistant Superintendent; and Mrs. Lynn Richardson, Gifted Program Coordinator; were present to share information about the Academic Year Governor's School.

Dr. Cox explained that a regional academic-year Governor's School program provided exceptional education options not available in the local School Division. He said that this year's program was named "Mountain Vista" and the participating School Divisions, in addition to Culpeper County, were Clarke, Fauquier, Frederick, Rappahannock, and Warren Counties, and Winchester City. He noted that the Governor's School created a community of learners, building trusting relationships among faculty and students that stimulated growth and intellectual

development. He added that the Governor's School provided coordinated, meaningful and challenging educational programs for students who had been identified as gifted.

Dr. Conti listed details on the benefits of the program and the opportunities provided to the participants, such as learning and growing in an environment that nurtures the unique ability and needs of gifted learners; belonging to a community of learners who share interests and abilities; expanding the knowledge of and interest in a focus area in a setting that provides career exploration and college-level classes; and providing the opportunity to earn a minimum of 20 college credits each year. He said that each of the Governor's Schools had a director and a regional governing board. He presented a map of Virginia that depicted the location of the current 17 Academic-Year Governor's Schools, with the addition of the 18th in which Culpeper County would participate. He described the steps that the School Division had taken to develop and prepare a planning grant for \$100,000 for July 2005-June 2006 to establish the new regional Governor's School. He said that Mrs. Hutchins represented Culpeper on the Governing Board, and Mrs. Richardson had been a part of the Planning Board. He described the specifics of the program, including grade-level participation, and concentrations of study. He said that Culpeper's cost was estimated to be approximately \$107,000 – \$90,000 for tuition and \$17,000 for transportation, but Culpeper students would generate approximately \$26,000 of support in State funds. He noted that the campus locations were at Lord Fairfax in Warrenton and Middletown, with an affiliation with Shenandoah University; and that Fauquier County Public Schools would serve as the fiscal agent.

Mrs. Hutchins stated that the School Board was very excited about providing the opportunity for Culpeper County students to go to college, compete against students from other regions of the State, and interact with college professors, while earning college credits.

Mrs. Richardson shared the excitement and interest of the students who would potentially be applying for the Governor's School, as well as the interest of the parents for this opportunity for their children. She explained that the program would be an all-year program offering what was not available at the high school, and it would allow participants to come together with their intellectual peers. She noted an exciting component of the program was the research strain that enabled students to have a mentor, to interact within the community, and to do research that was not being done in the High School because of time constraints.

Mr. Chase asked whether the students would attend Governor's School all day every day. Mrs. Richardson informed him it would be a half-day program, five mornings per week,

7:30 to 11:30, which would allow students to return to the High School to participate in sports, etc.

Mr. Nixon inquired about the number of credits each student could earn. Dr. Conti replied that a student could 20 credits per year for two years. Mr. Nixon asked whether the \$107,000 per year cost would be paid by the County or the School System. Dr. Conti replied the cost would be a part of the School operational costs. Mr. Nixon asked whether the \$26,000 from the State would offset the costs. Dr. Conti stated that the \$107,000 was in addition to the State funding.

Mr. Lee stated that the Governor's School was an excellent program, and there had been many successes from the program in other areas.

Mr. Walker and Dr. Conti discussed the dual enrollment program that was now available at the High School. Mr. Walker pointed out that the students had to pay their tuition for dual enrollment, but not for the Governor's School. He suggested that thought should be given to subsidizing the students in dual enrollment, especially for those unable to attend the Governor's School. Dr. Conti stated they were planning to expand dual enrollment opportunities for students and consideration was being given to that suggestion.

Mr. Walker asked whether participation in the Governor's School would reduce capacity at the High School. Mrs. Hutchins stated that 15 students would not make too much difference, but it was possible that it would when the program began to grow.

Mr. Rosenberger asked what costs would be offset by the \$100,000 grant. Dr. Conti replied that the funds would be used for the planning grant.

Mrs. Hansohn asked how a gifted learner was defined so the students would know who they were. Mrs. Richardson explained that all School Divisions worked within the State's gifted program, and in Culpeper County, students were identified with potential academic capacity and multiple criteria were used for a standardized assessment. She said Culpeper identified gifted students at approximately 97 percent and above.

Mr. Walker asked for additional information regarding the on-line school. Dr. Conti explained that the School Division had formed a partnership with a virtual high school, which was a collaborative effort that had to be subscribed to. He said that for every course offered by the County's teachers, 25 slots would be received back. He distributed a program of studies that would be offered by the virtual high school in 2005-2006, in which individual students could participate. He said this would provide more opportunities for students without consideration of

class size or available space. The virtual high school would also provide credits needed for students in summer school.

Mrs. Hansohn asked about costs of the virtual high school. Dr. Conti stated that a subscription cost under \$10,000 plus \$100 for training.

Mr. Coates thanked Dr. Cox and his staff for the wonderful information provided.

NEW BUSINESS

COMMITTEE REPORTS

Mr. Coates stated, with the Board's permission, the agenda would be adjusted in order to accommodate the participants' schedules.

RULES COMMITTEE REPORT - NOVEMBER 10, 2005

Mr. Bossio stated that Mr. Matthew Ames of Miller & Van Eaton law firm had met with the Rules Committee to discuss the two cable franchise transfer agreements and he was present to brief the Board.

Mr. Ames explained that the County had two cable franchises and both expired in 2007. He said that Adelphia, who had the franchise for the two cable franchises for Culpeper County, had been in bankruptcy, was coming out of that process, and had entered into a nationwide transaction. He said the company would be broken up and pieces transferred either to Time Warner or Comcast. He stated that Culpeper County, for historical reasons, had two systems operated as one which would go first to Time Warner and almost instantaneously to Comcast. He noted that Federal Communications Commission regulations had established a time line for these proceedings, and the County had 120 days from the date it received a completed application in which to act, and even though that deadline had been extended by mutual agreement between the parties, the Board would need to formally act at this meeting either to deny or to approve the transaction, otherwise it would be deemed approved.

Mr. Ames discussed the transfer agreement that had been negotiated with the companies in order to protect the County's interests and to ensure continuity of service. He said the primary concern was to ensure that the County was made whole. The companies have agreed to reimburse the County for Mr. Ames' fees, and there was a guarantee from the parent company of Comcast included to ensure that the subsidiary that actually held the franchise would have the financial assets necessary to maintain and operate the system appropriately. He said he looked at Adelphia's performance in terms of specific obligations that it needed to meet, and he learned that Adelphia had agreed to build out its system to certain subdivisions in the County and some of that work had not been done. He noted that the companies had agreed

to complete the construction that had not been done within a short time frame, in some cases 90 days and others 180 days, and to build out to some additional subdivisions which were identified in the transfer agreements within that same time frame.

Mr. Ames stated that during the recent Rules Committee meeting, an issue was raised regarding service to Lover's Lane. He said he raised that issue with counsel for the companies and was told it would be given consideration but would be extremely expensive. The companies agreed to add the Rixeyville Lakes area and North Ridge Phase I and II on an accelerated basis. He said a request was made during the Rules Committee meeting for a broadband connection to the County Administration building. He stated the current franchise gave the County the right to request a high-speed connection from Channel 21's location, but it had never been activated because there was some question about where Channel 21 would be permanently located. He said another concern was raised regarding the renewal of the franchise in 2007. He said that he planned to coordinate a comprehensive list of needs with Mr. Maddox and Mr. Bossio that would require attention.

Mr. Walker moved, seconded by Mr. Chase, to approve two cable franchise transfer agreements.

Mr. Coates stated that he had raised the issue of Lover's Lane in the Rules Committee meeting because that area was being developed for industrial uses that would require high tech equipment. He said it was an active issue because the land in that area was valuable due to its proximity to the Route 29 Bypass and the County had agreed to make some land use changes to promote economic development.

Mr. Ames assured Mr. Coates that Lover's Lane was at the top of his list for the renewal process in 2007.

Mr. Robert Marriage, Regional Operations Counsel for Adelphia, stated he was familiar with the transfer agreement and he had been interfacing with their construction on build-outs. He explained that the company wanted to extend its cable plant into any area that made economic sense to do so. He said the cable companies looked at the number of residential homes per mile who were potential subscribers and the more density and more homes would ensure the likelihood that the investment in the infrastructure would be paid back. He recalled that Lover's Lane had a fairly low density and as a matter of economics it would make more sense to wait on that project until the density reached a higher level.

Mr. Coates stated he was aware that Lover's Lane was not being developed for residential use, but the area was being marketed for industrial and the Library of Congress

would be located in that area. He suggested that as developers came forward and showed interest in the property, it would be advantageous for representatives from the cable company to meet with them and discuss ways to extend coverage.

Mr. Marriage stated he would be agreeable to working with the Planning Department for that purpose.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Walker reported that the Rules Committee discussed a request from Susan Keller, Librarian, for a full-time Library Associate position and recommended that the full Board approve converting the part-time position to a full-time Library Associate position. He said the Library would not require additional funding for the position change.

Mr. Walker moved, seconded by Mrs. Hansohn, to approve the recommendation of the Rules Committee to convert the part-time position to a full-time Library Associate position.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Walker reported that the Rules Committee discussed the Agricultural Enterprise Act of 2005 and recommended that the full Board approve the resolution supporting the Act. He said that Mr. Carl Sachs, Economic Development Director, would address the issue.

Mr. Sachs explained that the Agricultural Enterprise Act was adopted in 2005 and had a program delay to January 1, 2007 conditioned upon funding for the program. He stated that the proposed resolution indicated the Board's support of the program and requested that the Commonwealth provide appropriate funding. He said the Act allowed qualified agribusinesses and farm businesses to seek Agricultural Enterprise grants up to 75 percent of the total cost with a maximum of \$500,000 to implement new programs.

Mr. Walker moved, and seconded by Mr. Nixon, to approve the resolution supporting the Agricultural Enterprise Act of 2005.

Mr. Walker mentioned that Mr. Tommy O'Halloran, Chairman of the Agricultural Resource Advisory Committee, was present to answer any questions the Board may have. There were none.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Walker stated that the item from the Rules Committee regarding the proposed PPTRA Ordinance had been approved for public hearing on the Consent Agenda for discussion during the evening meeting.

Mr. Walker reported that the Rules Committee discussed a Proposed General Tax Interest for Late Payment Ordinance.

Mr. Walker moved, seconded by Mr. Lee, to approve advertising the proposed ordinance for public hearing.

Mr. Chase stated he thought there was already a fine for paying taxes late.

Mr. Walker explained that Mr. Maddox had discovered the County did not have an ordinance requiring interest on late payments. He said payments were being made, but there was no ordinance to enforce them.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Walker stated that the Rules Committee discussed a draft Policy for Economic Development Incentives.

Mr. Walker moved to approve the draft policy and move forward to develop the economic development incentives.

Mr. Sachs explained that the County had a plan for economic development incentives for selected businesses and the proposed policy would allow the County to consider incentives to businesses that were not eligible under the existing program. He said the policy outlined the criteria for those businesses that fell outside of the eligibility requirements for the current incentives.

Mr. Nixon seconded the motion.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Walker reported that the last item from the Rules Committee was a recommendation that the Board approve the Pay for Performance Plan.

Mr. Walker moved to approve the Pay for Performance Plan as presented to the Rules Committee. Mr. Nixon seconded for discussion purposes.

Mr. Nixon suggested that the discussion be delayed until after the lunch break in order to allow Board members not familiar with the Plan to review it.

Mr. Coates agreed that the matter would be delayed until after lunch.

Mr. Coates recessed the meeting for lunch at 12:30 p.m.

Mr. Coates called the meeting back to order at 2:21 p.m.

RULES COMMITTEE REPORT (Continued)

Mr. Walker asked Mr. Bossio to present the Pay for Performance Plan.

Mr. Bossio explained that staff had been in discussions for a number of years regarding moving away from a pay system that basically compared Culpeper County to other localities in the surrounding areas and rewarding everyone the same regardless of performance.

Mr. Bossio gave a PowerPoint presentation covering the process of a pay for performance plan. He said the Board had made some progress last year in closing the gap with the market rates and the plan now was ready to begin the process of pay for performance. He reviewed the various steps to be taken, such as training for process identification, evaluation and continuous improvement.

Mr. Bossio stated he had assembled a team of representatives from County departments, including Constitutional Officers, who had met and discussed the different methodologies for rewarding quality performance. He said the group had recommended three components:

1. Cost of living adjustment. The COLA would be tied to a rolling 36-month CPI average, and that COLA percentage would be applied to grade midpoint, then added to the salary, for employees whose rating indicated fully acceptable performance.
2. Pay for performance. Employees exceeding the standards set could be eligible for an additional 1 percent or 2 percent added to the COLA adjusted pay; and employees whose overall performance rating was in excess of 4.5 would be eligible for an additional 3 percent to the COLA adjusted salary. This group would be subject to approval by the Board's Personnel Committee.
3. QuILS Award. A one-time lump sum award, not to exceed 10 percent of an employee's salary, would be awarded for specific projects or body of work in one year that made a major impact to the organization in quality service, innovation, leadership, and savings or cost avoidance. Nominations for QuILS would be judged by the Board's Personnel Committee and forwarded to the full Board.

Mr. Bossio discussed process controls such as evaluation forms, job descriptions, and the fact that supervisory employees would be rated on their ability to rate their employees. He also discussed examples of the various indicators on the evaluation form, both for employees and supervisors. He said Mrs. Susanne Taylor, Director of Human Resources would continue to review evaluations to ensure they were complete and consistent, and the forms with the highest ratings would go to the Board's Personnel Committee.

Mr. Bossio explained the specific criteria for the Sheriff's Deputies and EMS and E-911 personnel, such as requirements for certifications, education, and credit for prior certification and relevant experience.

Mr. Bossio estimated that the highest case scenario in terms of investment would be a FY 06 salary total of approximately \$10.9 million, including Constitutional Officers; a 3 percent COLA at grade midpoint, \$341,479; a 3 percent pay for performance, \$334,320, for a total of approximately \$11.6 million or an increase of 6.17 percent. He said the highest case scenario for the QuILS Award would be \$50,000 set aside for payments to be made as appropriate and to be carried over if not used. He said that the total FY 07 figure would be approximately \$11.7 million for the two separate programs.

Mr. Bossio stated that the goal was to set the standards for quality in local government and was aimed toward rewarding people for excellence in their work.

Mr. Walker thanked Mr. Bossio for his presentation and informed the Board that the Rules Committee had studied the plan in depth and felt it should be moved forward prior to the budget process.

Mr. Chase returned to the meeting at 2:30 p.m.

Mrs. Hansohn asked whether the pay for performance plan would eliminate the need for the various salary studies done in the past. Mr. Bossio assured her that it would.

Mr. Chase asked who would be the final approving authority. Mr. Bossio informed him that the COLA would be based on a three-year CPI rolling average and would be awarded to employees with an average 3.0 and above; employees receiving an additional 1 or 2 percent would be approved by the County Administrator; employees receiving an additional 3 percent would go to the Board's Personnel Committee; and employees nominated for the QuILS Award would be entirely under the purview of the Board's Personnel Committee.

Mr. Chase thanked Mr. Bossio for replying, but said he did not like the answer. He said that he would not vote for a total budget figure without having specific information and individual costs. He said he owed it to his constituents to be vigilant about spending.

Mr. Walker pointed out that there were a detailed chain of events involved in the review process by the Personnel Committee of both the QuILS Awards and 3 percent merit increases, as well as for the ones reviewed by the Department Heads before reaching the County Administrator.

A lengthy discussion ensued regarding the approval process and the amount of detail provided to the Board members prior to the budget process. Mr. Bossio explained the process once again in detail and the amount of scrutiny the budget received during the various work sessions. Concern was expressed that employees may or may not be rewarded based on individual personalities or politics and the Board should receive specific information on each individual recommendation for pay for performance.

Mrs. Hansohn suggested that a breakdown could be provided to the Board members so they would know which employees were being rewarded. She stated that she had the greatest respect for the Department Heads and the choices they may make, but when voting on a budget, she felt the Board should be provided with detailed information on what was included in that budget.

Mr. Bossio stated that he did not see a problem with supplying the Board with specific information, but he wanted to be cautious in circumventing the day-to-day activities of individual Department Heads who knew their employees and their work ethics. He said the Board could have a closed session for the purpose of reviewing the detailed list of employees receiving the additional levels of pay.

Mr. Nixon stated that as a Board member he had confidence in the staff and also Department Heads that they would make the proper decisions. He said the Board would have an opportunity to review the overall budget, review the summary information prepared by the County Administrator, and make the final decision on the various rates of pay.

Mr. Walker asked Mrs. Taylor to provide the names of the individuals who served on the Personnel Committee.

Mrs. Taylor stated that she served as Chair of the Committee and the members were Paul Howard, Dave Franklin, Terry Yowell, Steve Southard (for the first part of the year), David DeJarnette (after Mr. Southard left), Bill Myers, Tom Williams, and Dave Maddox.

Mr. Walker indicated that the Committee consisted of a wide cross-section of the County offices, including the Constitutional Officers, and they were all well versed in the pay for performance process.

Mr. Coates stated that he had been a part of a pay for performance plan in the past, and it really worked because it brought out the best in employees and encouraged others to work harder. He said he had confidence that Department Heads knew their employees, what they were capable of doing, and how they complemented the County. He assured the Board that each member would have a final say on the level of funding in the budget. He said he was going to support the plan.

Mr. Walker stated that the recommendation coming out of Rules Committee was to accept the whole program as previously presented. He asked whether an amendment should be made to the plan to add the additional review. Mr. Bossio stated that an amendment would not be necessary, and the review would be added to the process. Mr. Nixon agreed.

Mr. Walker moved, seconded by Mr. Nixon, to accept the Pay for Performance Plan as presented.

Mr. Rosenberger stated the motion should be amended to add that a summary sheet would be brought forward to the Board containing specific information so that it could be made a part of the pay for performance process.

Mr. Walker and Mr. Nixon agreed to the amendment to the motion.

Mr. Coates asked Mr. Walker to restate the motion.

Mr. Walker stated that the motion was to accept the Pay for Performance Plan as presented, with the addition of a review process on the merit pay and a work session prior to finalizing the budget.

Mr. Rosenberger noted that he was not suggesting that the Board become involved in personnel matters, but he felt a summary sheet would be beneficial in adjusting various percentages prior to the budget process. He did not believe it would be micromanaging to know where the dollars were going.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

See Attachment #1 for details of the meeting.

BUILDINGS & GROUNDS COMMITTEE REPORT - NOVEMBER 10, 2005

No report was given.

See Attachment #2 for details of the meeting.

PUBLIC WORKS COMMITTEE REPORT - NOVEMBER 10, 2005

Mrs. Hansohn stated the Public Works Committee met and had no action items to bring forward to the full Board. She called to the Board's attention to the fact that DEQ was applying for a grant for the Chesapeake Bay Watershed and they asked Culpeper County to be a pilot for a regional study. The Public Works Committee endorsed a letter of support.

See Attachment # 3 for details of the meeting.

ANIMAL SHELTER ADVISORY COMMITTEE REPORT- NOVEMBER 29, 2005

Mr. Chase reported that the Animal Shelter Advisory Committee met and had no action items to bring forward.

TOWN/COUNTY INTERACTION COMMITTEE REPORT - NOVEMBER 30, 2005

Mr. Chase reported that the Town/County Interaction Committee met and had no action items to bring forward.

ECONOMIC DEVELOPMENT REPORT

Mr. Sachs provided the following report:

1. Another phase of the direct marketing was initiated with approximately 5,000 businesses in the Baltimore/Washington Metropolitan Area, including Northern Virginia. The mailer entitled "We Want Your Business – Where Your Employees Want to Live" was sent to selected businesses in varied areas such as telecommunications and computer companies. Favorable responses had already been received.
2. An initiative was started with Germanna Community College Center for Workforce and Community Education to help nurture, support and encourage development of entrepreneurs in Culpeper. There is a lot of movement in the economic development profession that indicates that innovation and entrepreneurship is the next wave of growth in the economy in the country. An outline of a program has been developed and an overview of the program will be previewed at a luncheon meeting at the Culpeper Country Club on December 13, at 12:00 noon.

Mr. Sachs also reported on his attendance at the Virginia Chamber of Commerce Conference on Economic Leadership attended by Governor-elect Kaine and Lieutenant Governor-elect Bolling, as well as the new Executive Director of the Virginia Economic Development Partnership. Discussions centered on the participants' visions of the future and most agreed that the highest priority for the State was transportation.

AIRPORT ADVISORY COMMITTEE REPORT - NOVEMBER 9, 2005

Mr. Bossio reported that the Airport Advisory Committee met and had no action items to bring forward.

ADMINISTRATOR'S REPORT

Mr. Bossio reported that the 2007 NACo Conference would be held in Chesterfield County, Virginia and the National Association of Counties was asking for a donation of \$2,000 from each of the counties to help fund the conference.

Mr. Coates recalled that Mr. Campbell had mentioned this opportunity for Virginia to showcase itself in the morning session and counties were being asked to support the conference financially.

Mr. Walker stated that the National Conference coincided with the Jamestown Celebration and it would be a large tourist opportunity for the whole State of Virginia. He said that Culpeper was involved in promoting the Jamestown activity and was making plans to participate in the bus caravan being organized.

Mr. Nixon moved, seconded by Mr. Walker, to make a \$2,000 donation to VACo for the National Conference.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Nixon asked that the Board return to the **TOWN/COUNTY INTERACTION COMMITTEE** report.

Mr. Nixon stated there was discussion about the community pool at the Town/County Interaction Committee meeting, and the Town had expressed an interest in considering the placement of the pool at the Community Complex if the County would be willing to donate the land. He said he believed there was a one-acre parcel left open for use of a swimming pool. He said he was in favor of the concept, but would like to have some discussion among the Board members.

Mr. Coates questioned whether there was any available acreage within the Complex to support the pool.

Mr. John Barrett, Parks & Recreation Director, agreed to visit the Complex and take some measurements. He pointed out that a lot depended upon the amount of space needed for parking at the new high school.

Mr. Walker pointed out that the plan had contemplated that an area would be available for a community building of some sort, so a pool and building would be consistent with the original plan.

Mrs. Hansohn stated that at last night's Town/County/School Interaction meeting, there was discussion regarding the pool, and the Town also wanted to talk with Germanna

Community College about whether or not space was available on their site. She said the Town was also considering other areas, such as the 12 acres being offered by Copper Ridge and other public/private partnerships.

Mr. Nixon agreed that the Town had other options and had not decided on the type of pool, its size or its location. He noted that the comment was made that the Town did not have any real options other than a few as to where they could possibly put the pool, so they were wondering if the County would be willing to provide the land for a pool if it would be worked out. He asked whether the Board would be willing to do that if Mr. Barrett ascertained there was sufficient space to accommodate a pool. He suggested that the item be postponed for 30 days to allow Mr. Barrett time to investigate and come back with a report.

Mr. Walker stated the suggestion was made that the County provide the land in lieu of a financial contribution. Mr. Nixon agreed.

Mr. Chase pointed out that the School System owned 6 acres at the E-911 location and asked whether anyone had explored that possibility. Mr. Barrett stated that location had not been discussed.

Mr. Coates stated it was the consensus that Mr. Barrett investigate whether it was feasible to locate a pool at the Community Complex and bring that information back to the full Board.

ADMINISTRATOR'S REPORT (Continued)

Mr. Bossio reported that the County's annual holiday celebration would be held at the Inn at Kelly's Ford on December 10, beginning at 6:30 p.m. and ending at 8:00 p.m. Some employees expressed an interest in having a band, dancing and an open bar at their own expense, and that event would begin at 8:30 p.m., to provide a separation from the County's party. He said that Board members were invited to both celebrations.

Mr. Bossio stated that a new date needed to be set for the Water and Sewer Authority meeting that had been postponed. He asked whether the Board would like to meet between now and the new year, or wait until the next meeting in January. The general consensus was to wait until January to meet unless something important came up in the interim.

CLOSED SESSION

Mr. Nixon moved, seconded by Mrs. Hansohn, to enter into closed session, as permitted under the following *Virginia Code* Sections, and for the following reasons:

1. Under *Virginia Code* §2.2-3711(A)(1), to consider: (A) Reappointment or appointment to the Joint Board of Building Code Appeals; (B) reappointment or appointment to the Library

Board; (C) reappointment and/or appointment to the Disability Services Board; (D) reappointment and/or appointments to the Human Services Board; and (E) reappointment and/or appointment to the Rappahannock-Rapidan Community Services Board.

2. Under *Virginia Code* §2.2-3711(A)(3) and (A)(30), for discussion with legal counsel and staff of the acquisition of an interest in specific real property in the County, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County.

3. Under *Virginia Code* §2.2-3711(A)(7) and (A)(30), for discussion with legal counsel and staff regarding the negotiation of open terms of an existing contract with a private party, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County.

4. Under *Virginia Code* §2.2-3711(A)(3) and (A)(7), for discussion with legal counsel and staff regarding the acquisition of privately owned real property in the County for potential use by the Parks and Recreation Department, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County.

5. Under *Virginia Code* §2.2-3711(A)(7) and (A)(30), for discussion with legal counsel and staff regarding the negotiation of specific agreements with both public and private entities, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County.

Mr. Coates called for vote on motion.

Ayes – Coates, Hansohn, Nixon, Rosenberger, Walker

Nays – Chase, Lee

Motion carried 5 to 2.

The Board entered into closed session at 3:00 p.m.

Mr. Coates recessed the meeting at 5:10 p.m. for dinner break.

The Board reconvened into closed session at 9:00 p.m., after adjourning the evening meeting.

The Board returned to open session at 9:50 p.m.

Mr. Coates polled the members of the Board regarding the closed session held. He asked the individual Board members to certify that to the best of their knowledge, did they certify that (1) only public business matters lawfully exempted from the open meeting requirements under Virginia Freedom of Information Act, and (2) only such public business matters as were

identified in the closed session motion by which the closed meeting was convened, were heard, discussed or considered by the Board in the closed session.

Mr. Coates asked that the record show Mr. Chase did not stay for the entire closed session.

Ayes - Walker, Lee, Coates, Nixon, Rosenberger, Hansohn

RE: JOINT BOARD OF BUILDING CODE APPEALS

Mr. Nixon moved, seconded by Mr. Lee, to reappoint Donald H. Shuman, Jr. to the Joint Board of Building Code Appeals.

Mr. Coates called for voice vote.

Ayes - Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

RE: LIBRARY BOARD

Mr. Nixon moved, seconded by Mr. Lee, to reappoint John H. Garber to the Library Board.

Mr. Coates called for voice vote.

Ayes - Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

RE: DISABILITY SERVICES BOARD

Mr. Nixon moved, seconded by Mr. Lee, to reappoint David Scott to the Disability Services Board.

Mr. Coates called for voice vote.

Ayes - Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

RE: DISABILITY SERVICES BOARD

Mr. Nixon moved, seconded by Mrs. Hansohn, to appoint Christy A. Johnson to the Disability Service Board.

Mr. Coates called for voice vote.

Ayes - Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

RE: HUMAN SERVICES BOARD

Mr. Nixon moved, seconded by Mr. Lee, to reappoint Michael Gray to the Human Services Board.

Mr. Coates called for voice vote.

Ayes - Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

RE: HUMAN SERVICES BOARD

Mr. Nixon moved, seconded by Mrs. Hansohn, to appoint James C. Lee to the Human Services Board.

Mr. Lee stated for the record he would abstain from voting.

Mr. Coates called for voice vote.

Ayes - Coates, Hansohn, Nixon, Rosenberger, Walker

Absent - Chase

Abstain - Lee

Motion carried 5 to 0, with 1 abstention.

RE: HUMAN SERVICES BOARD

Mr. Nixon moved, seconded by Mr. Lee, to appoint Sandra W. Shuman to the Human Services Board.

Mr. Coates called for voice vote.

Ayes - Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

RE: RAPPAHANNOCK-RAPIDAN COMMUNITY SERVICES BOARD

Mr. Nixon moved, seconded by Mr. Walker, to reappoint Carol Bouthilet to the Rappahannock-Rapidan Community Services Board.

Mr. Coates called for voice vote.

Ayes - Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

RE: RAPPAHANNOCK-RAPIDAN COMMUNITY SERVICES BOARD

Mr. Nixon moved, seconded by Mr. Walker, to appoint Richard H. Goff to the Rappahannock-Rapidan Community Services Board.

Mr. Coates called for voice vote.

Ayes - Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

Mr. Walker stated that it had been a pleasure to serve with Mr. Lee and he would be surprised if there were ever another advocate for the youth of this community at the same level as Mr. Lee. He said Mr. Lee had shown a tremendous amount of support for the youth of Culpeper, both in the recreation area and in his support for the School System. He thanked Mr. Lee for his service and for the opportunity to serve with him.

The entire Board expressed their agreement to Mr. Walker's remarks. [They shouted "Hear, hear!"]

Mr. Coates wished everyone a happy and safe holiday.

ADJOURNMENT

Mr. Lee moved, seconded by Mrs. Hansohn, to adjourn at 9:55 p.m.

Mr. Coates called for voice vote.

Ayes - Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

Peggy S. Crane, CMC
Deputy Clerk

John F. Coates, Chairman

ATTEST:

Frank T. Bossio
Clerk to the Board

Approved: February 7, 2006